

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52394 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- ALOULI District- Khagaria

1. Uttam Lal Sada, Son of Jhingur Sada, Resident of Village - Ratnaha, P.S.- Alauli, Distt - Khagaria.
2. Champa Devi, Wife of Uttam Lal Sada, Resident of Village - Ratnaha, P.S.- Alauli, Distt - Khagaria.
3. Dhanushwari Devi @ Dhaneshwari Devi, Wife of Suresh Sada, Resident of Village - Ratnaha, P.S.- Alauli, Distt - Khagaria.
4. Mamta Devi, Wife of Fantu Kumar Singh, Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.
5. Rajiv Kumar Siingh Son of Kari Singh Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.
6. Pushplata Devi Wife of Fucho Singh Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.
7. Wakil Singh @ Wakil Kumar Singh Son of Om Bahadur Mahto Resident of Village - Mathurapur, P.S.- Khagaria, Distt - Khagaria.
8. Saudagar Sada Son of Uttam Lal Sada Resident of Village - Ratnaha, P.S.- Alauli, Distt - Khagaria.
9. Arbind Singh Son of Nand Lal Singh Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.
10. Fantu Singh @ Fantu Kumar Singh Son of Kari Singh Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.
11. Fucho Singh Son of Kari Singh Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.
12. Indra Devi Wife of Laddu Lal Singh Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabo Devi, Wife of Late Kailu Sada, Resident of Village - Chandpura Khurd, P.S.- Alauli, Distt - Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-08-2019

This is an application for grant of anticipatory bail in



connection with Alauli P.S. Case No. 55 of 2019, disclosing offences under Sections 323, 324, 379, 380, 506, 406, 420, 467, 468, 471, 120B of IPC.

Prosecution case is that on the basis of the complaint petition, an F.I.R. was registered and allegation as per the complaint petition is that petitioners no. 1 to 3 in order to grab the land of the complainant sold the land to petitioners no. 4 to 6 and petitioners no. 7 to 9 are the witnesses and petitioners no. 10 to 12 tried to oust the complaint from the house.

Submission of learned counsel for the petitioners is that the Superintendent of Police after investigation has not found the case true under Sections 406, 420, 467, 468, 471 of IPC and Sections are found true. The real facts that the complainant and other constructed the hut over the land. As a matter of fact the land is the ancestral property of the petitioners no. 1 to 3 and the complainant has constructed a hut over the same and tried to grab the land. Furthermore, both the parties have compromised the matter, which will appear from Annexure 2.

Heard learned APP also.

Having heard both sides, in view of the facts and circumstances, as stated above, this application is disposed of



with a direction to the petitioner to appear before the learned court below and once the petitioner appears before him, he will be released on provisional bail to his own satisfaction, and the court below to verify as to whether any compromise has been reached between the parties, once he is satisfied that the factum of the aforesaid compromise, he shall confirm the bail bonds of the petitioner, otherwise, petitioner shall surrender before the learned court below and make prayer for regular bail.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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